

# **Notice of Allowability**

**Application No.**

10/038,464

**Examiner**

Gregory J. Vaughn

**Applicant(s)**

HINTZ, KENNETH JAMES

**Art Unit**

2178

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment of 5/2/2005.
2. ☒ The allowed claim(s) is/are 11-13, 16-23 and 26-32.
3. ☒ The drawings filed on 09 May 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**EXAMINER'S AMENDMENT AND  
REASONS FOR ALLOWANCE**

***Application History***

1. This action is responsive to the applicant's amendment, submitted on 5/2/2005.
2. Applicant's amendment has cancelled claims 1-10, and added claims 11-32.
3. A telephone interview with the applicant was conducted on 8/5/2005, in which claims 14, 15, 24 and 25 were cancelled, and claims 11, 13, 21, 23 and 31 were amended. An examiner's amendment for claims 11, 13, 21, 23 and 31 is described below.
4. Claims 11-13, 16-23 and 26-32 are pending in the case, claims 11, 21, 31 and 32 are independent claims.
5. Applicant has amended the specification in response to the objections cited by the examiner in the *Drawings* and *Specification* sections of the previous office action (dated 11/3/2004). Applicant's amendment has addressed the objections previously made, and therefore, in view of the amendment, objections to the drawings and specification are withdrawn.

Art Unit: 2178

6. Examiner's rejection of claims 7-9, made under 35 USC 101 in the *Claim Rejections – 35 USC 101* section of the previous office action (dated 11/3/2004) is rendered moot in view of the cancelled claims.
7. The examiner's rejection of claims 1-10, made under 35 USC 103 as being unpatentable over Apte et al. US Patent 6,253,169 in view of Hazlehurst et al. US Patent 5,974,412 as recited in the previous office action (dated 11/3/2004), is rendered moot in view of the cancelled claims.
8. The examiner's amendment described below was discussed and authorized by the applicant in a phone interview conducted on August 5, 2005.

#### ***Examiner's Amendment***

9. Cancel claims 14, 15, 24 and 25. Limitations from claims 14 and 15 are added to claim 11, as described below. Limitations from claims 24 and 25 are added to claim 21, as described below. Authorization for canceling these claims was given in a telephone interview with Kenneth J. Hintz on August 5, 2005.
10. An examiner's amendment to claims 11, 13, 21, 23 and 31 appear below. Text added by the examiner is shown underlined. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it

Art Unit: 2178

MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Kenneth J. Hintz on August 5, 2005.

11. Rewrite claims 11, 13, 21, 23 and 31 as follows:

11. A computer-implemented method for detecting new ideas within symbolic representations pertaining to a domain of endeavor, comprising:

accessing the symbolic representations pertaining to the domain of endeavor to detect a symbol contained within the symbolic representations that had been previously identified as not being found within a base lexicon of symbols associated with the domain of endeavor;

retrieving a symbol from the symbolic representations;

searching a base lexicon of symbols associated with the domain of endeavor for an instance of the symbol;

if the instance of the symbol is not found in the base lexicon of symbols associated with the domain of endeavor, then performing the steps of:

presenting the symbol to a user as a new symbol;

receiving input from the user indicative of whether the new symbol should be tracked;

if the input received from the user indicates that the new symbol should not be tracked, then adding the symbol to the base lexicon of symbols associated with the domain of endeavor; and

if the input received from the user indicates that the new symbol should be tracked, then performing the steps of:

accumulating data indicative of a spread of multiple instances of the symbol throughout the domain of endeavor;

Art Unit: 2178

determining whether the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold; and

if the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold, then outputting an indication based on the symbol to a user that a new idea within the domain of endeavor has been detected.

13. A method according to claim 11, wherein the symbolic representations pertaining to the domain of endeavor include contents of an internet web site reachable within a specified number of indirections from an Internet Protocol (IP) address, contents of transcripts of verbal communications, or electronic representations of written communications.

21. A computer-readable medium bearing instructions for detecting new ideas within symbolic representations pertaining to a domain of endeavor, said instructions, when executed, arrange to cause a computer to perform the steps of:

accessing the symbolic representations pertaining to the domain of endeavor to detect a symbol contained within the symbolic representations that had been previously identified as not being found within a base lexicon of symbols associated with the domain of endeavor;

retrieving a symbol from the symbolic representations;

searching a base lexicon of symbols associated with the domain of endeavor for an instance of the symbol;

if the instance of the symbol is not found in the base lexicon of symbols associated with the domain of endeavor, then performing the steps of:

presenting the symbol to a user as a new symbol;

receiving input from the user indicative of whether the new symbol should be tracked;

if the input received from the user indicates that the new symbol should not be tracked, then adding the symbol to the base lexicon of symbols associated with the domain of endeavor; and

if the input received from the user indicates that the new symbol should be tracked, then performing the steps of:

accumulating data indicative of a spread of multiple instances of the symbol throughout the domain of endeavor;

determining whether the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold; and

if the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold, then outputting an indication based on the symbol to a user that a new idea within the domain of endeavor has been detected.

23. A computer-readable medium according to claim 21, wherein the symbolic representations pertaining to the domain of endeavor include contents of an internet web site reachable within a specified number of indirections from an Internet Protocol (IP) address, contents of transcripts of verbal communications, or electronic representations of written communications.

31. A computer-implemented method for detecting new ideas within symbolic representations pertaining to a domain of endeavor, comprising:

accessing the symbolic representations pertaining to the domain of endeavor, wherein the symbolic representations pertaining to the domain of endeavor include contents of an internet web site reachable within a specified number of indirections from an Internet Protocol (IP) address, contents of transcripts of verbal communications, or electronic representations of written communications;

retrieving a symbol from the symbolic representations; wherein the symbol includes a word, a neologism, an acronym, an abbreviation, or a string of words with a separator;

Art Unit: 2178

searching a base lexicon of symbols associated with the domain of endeavor for an instance of the symbol;

if the instance of the symbol is not found in the base lexicon of symbols associated with the domain of endeavor, then performing the steps of:

presenting the symbol to a user as a new symbol;

receiving input from the user indicative of whether the new symbol should be tracked;

if the input received from the user indicates that the new symbol should not be tracked, then adding the symbol to the base lexicon of symbols associated with the domain of endeavor; and

if the input received from the user indicates that the new symbol should be tracked, then performing the steps of:

accumulating data indicative of a spread of multiple instances of the symbol throughout the domain of endeavor;

determining whether the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold; and

if the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold, then outputting an indication based on the symbol to a user that a new idea within the domain of endeavor has been detected.

***Reasons for Allowance***

12. The following is an examiner's statement of reasons for allowance:

**Regarding independent claims 11, 21, 31 and 32**, the prior art of record neither anticipates nor suggests to a person of ordinary skill, at the time the invention was made, the claimed features of: retrieving a symbol from symbolic representations pertaining to a field of endeavor; searching a base lexicon of symbols associated with the domain of endeavor for an instance of the symbol; presenting the symbol to a user as a new symbol; receiving input from the user indicative of whether the new symbol should be tracked; accumulating data indicative of a spread of multiple instances of the symbol throughout the domain of endeavor; determining whether the spread of multiple instances of the symbol throughout the domain of endeavor exceeds a threshold; and outputting an indication based on the symbol to a user that a new idea within the domain of endeavor has been detected.

13. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.




Art Unit: 2178

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://p1air-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
August 5, 2005



**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**